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Docket No. 210217US0

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF: :

Ichiro YAMASHITA : GROUP ART UNIT: 1632

SERIAL NO: 09/893,666 :

FILED: JUNE 29, 2001 : EXAMINER: WOITACH

FOR: HIGH ESTROGEN-SENSITIVE MEDAKA FISH

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DECLARATION UNDER 37 C.F.R. §1.131

ASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231

SIR:

Now comes Tetsuya Kawahara, Hisashi Okada, and Ichiro Yamashita who depose and state that:

1. Tetsuya Kawahara, Hisashi Okada, and Ichiro Yamashita are named as authors of Kawahara et al (2000) Cloning and Expression of Genomic and Complementary DNAs Encoding an Estrogen Receptor in the Medaka Fish, *Oryzias latipes*. Zoological Science 17: 643-649.

2. Ichiro Yamashita is the named inventor of U.S. Application 09/893,666, filed on June 29, 2001.

3. The disclosure of Kawahara et al relied upon by the Examiner to reject the claimed invention is the disclosure of Applicant's own work and is not the work of another. Kawahara and Okada were only assistants in carrying out the experiments.

4. The undersigned petitioner declares further that all statements made herein of their own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false

statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of this application or any patent issuing thereon.

5. Further deponents saith not.

T. Kawahara

Tetsuya Kawahara

March 25, 2003

Date

Hisashi Okada

Hisashi Okada

March 25, 2003

Date

Ichiro Yamashita

Ichiro Yamashita

March 25, 2003

Date